IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 278 (S/B) of 2006

J.S. Dobal a/a 59 years s/o Late Kesar Singh Dobal,
Presently posted as Principal/ Joint Director,
Technical Education, Srinagar Garhwal,
District Pauri Garhwal …… Petitioner

Versus

State of Uttaranchal through the Secretary,
Technical Education, Government of Uttaranchal
At Dehradun …… Respondent

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Sri L.P. Naithani, Senior Counsel with Sri B.D. Upadhyaya, Advocate for the petitioner.
Sri N.B. Tiwari, Addl. Advocate General/ Chief Standing Counsel for the respondent.

JUDGMENT

Coram: Hon'ble Rajeev Gupta, C.J.
Hon'ble Rajesh Tandon, J.

RAJEEV GUPTA, C.J. (Oral)

Sri L.P. Naithani, Senior Counsel with Sri B.D. Upadhyaya, Advocate for the petitioner.

Sri N.B. Tiwari, Addl. Advocate General/ Chief Standing Counsel for the respondent.

They are heard.

2. Petitioner J.S. Dobal has filed this writ petition for the following relief:

"(a) A writ, order or direction in the nature of certiorari to call for the record of the case and quash the impugned transfer order dated 31.08.2006 passed by the respondent contained in annexure no. 1 to the writ petition.
(b) Any other writ, order or direction as this Hon'ble Court may deem fit and proper under the facts and circumstances of the case.
(c) To award cost throughout to the petitioner."

3. The petitioner, in substance, is challenging his transfer vide order dated 31.08.2006 (Annexure 1).

4. As the petitioner has not submitted any representation to the respondent after his transfer, in our opinion, it would be appropriate for the petitioner to first make a representation to the respondent for redressal of his grievance projected in the writ petition. If such a representation is made by the petitioner to the respondent, the same shall be considered and decided by a speaking order within a period of three weeks from the date of the receipt of the representation in accordance with law and the guidelines of the State Government in the matter of transfer of a Government servant.

5. With the above direction, the writ petition stands disposed of.

6. With the above order CLAM No. 11342 of 2006 also stands disposed of.

(Rajesh Tandon, J.) **(Rajeev Gupta, C.J.)**

5.9.2006 05.09.2006

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